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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Patent Application of:
Inventor(s): Ed O. Schlotzhauer et al.
Filed: 18th September, 2001
Serial No.: 09/955,796
Confirmation No.: 1044
Group Art Unit: 2857
Examiner: Jeffrey West
Docket Number: 10010804-1
Title: A Method for User Variation of a Measurement Function

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING / FAX TRANSMISSION

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RENEE' MICHELLE LEVEQUE

(Applicant, Assignee or Reg. Representative)


Signature

December 14, 2004

Date

STATEMENT OF SUBSTANCE OF THE INTERVIEW

Dear Sir:

INTRODUCTORY COMMENTS:

In response to the Interview Summary Form mailed on November 30, 2004, Applicant wishes to enter the following remarks for the Examiner's consideration. As the Interview Summary Form was mailed by the Office after a reply to the last office action was filed, this Statement is being filed within one month from mailing date of the Interview Summary Form.

Several points discussed in the Interview dated November 22, 2004, include:

1. The Applicant explained that, in the Snyder reference, control is passed to a menu routine when a variation point is reached, then to a user selected function, whereas in claim 1 control is passed directly to a user defined function.

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2. The Examiner explained that in claim one, the 'variation function' in the preamble could be considered to be different to the 'user-defined function for causing the variation' in the second and third elements. Therefore, in the Murphy reference, a menu could be considered a "variation function" and a CMI could be considered a "user defined function".

3. The Examiner opined that in the Snyder reference the step of "associating the user-defined function with the variation function" occurred when the user selected from a menu. The Examiner agreed that the association occurred after the variation point was reached.

4. The Applicant explained that the Murphy reference describes a method for adjusting functionality in state-machine. The Snyder reference does not describe a state machine, so it is unclear how the references could be combined. Murphy column 7, lines 66-67 describes how a menu routine is used to select which CMI's are activated. However, these CMI's are not called from variation points in a program. Rather, the CMI's are activated by state changes. Murphy's approach allows the user to define CMI's to be applied at any state change, while the present invention allows user-defined functions to be called only at specific variation points in the code. Further, when execution of a user-defined CMI is completed, control not does continue from the variation point but returns to a download engine which then switches control dependent upon the state (which may be changed in the CMI). (Column 8, lines 52-65). In the Murphy reference, each CMI is called at each

state change, or at every change that satisfies a state mask (Column 8, lines 45-51). Thus CMI's are associated with states, rather than with variation points. There are no instructions inserted in the code of the download engine, so this is not equivalent to calling the function at a specific variation point in a computer program.

5. The Examiner agreed that the Murphy reference was a state machine, but explained that he was combining the user generated CMI's of Murphy with Snyder's menu selection.

If there are any questions about this filing, please contact the undersigned. Please charge any fees necessary for prosecution of the present application to deposit account no. 50-1078. If any extension of time is required, such extension of time is hereby requested. Please charge any additional required fee for extension of time to Applicant's Deposit Account No. 50-1078.

Respectfully submitted,



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PATENT APPLICATION

ATTORNEY DOCKET NO. 10010804-1

IN THE
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Inventor(s): Schlottzhauer et al

Serial No.: 09/955,796

Examiner: West, Jeffrey R.

Filing Date: 09/18/01

Group Art Unit: 2857

Title: A METHOD FOR USER VARIATION OF A MEASUREMENT FUNCTION

COMMISSIONER FOR PATENTS
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TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- () Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
() No additional fee (Address envelope to "Mail stop Non-Fee Amendments")
(X) Other: Statement of Substance of Examiner Interview (fee \$)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$88	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$300	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$430.00	3RD MONTH \$980.00	4TH MONTH \$1530.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

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Date of Deposit: 12/14/04

Typed Name: Renee' Michelle Leveque

Signature: Renee' Michelle Leveque

Respectfully submitted,

Schlottzhauer et al

By Renee' Michelle Leveque

Renee' Michelle Leveque

Attorney/Agent for Applicant(s)

Reg. No. 36,193

Date: 12/14/04